

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
ZACHARY NOBLE,)
)
Defendants.)

4:08CR3022

**MEMORANDUM
AND ORDER**

The defendant has filed a motion to withdraw his guilty plea following my rejection of his Rule 11(c)(1)(C) plea agreement. In that motion, his lawyer also requests that I hold a status conference with counsel after they have had sufficient time to conduct further negotiations. Defense counsel also requests that the time be excluded for “speedy trial” purposes. Because this is a difficult case involving a minor child, I will grant the motion. Accordingly,

IT IS ORDERED that:

1. The motion to withdraw the defendant’s guilty plea (filing [67](#)) is granted.
2. The motion to hold a status conference and to exclude the time for “speedy trial” purposes (filing [67](#)) is granted.
3. A telephone conference with counsel and the probation officer is set on Wednesday, February 11, 2009, at 1:00 p.m. My judicial assistant shall coordinate the call.
4. Because this is a difficult case involving a minor child and because the interests of justice will be furthered by granting counsel additional time to pursue new

plea negotiations, the time between today's date and February 11, 2009 is excluded under the terms of the Speedy Trial Act. *See, e.g.,* [18 U.S.C. § 3161\(h\)\(8\)\(A\)&\(B\)](#).

December 9, 2008.

BY THE COURT:

s/Richard G. Kopf
United States District Judge